

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for considering the present application.

Disposition of Claims

Claims 2-4 and 6-10 are currently pending in this application. Claims 2, 4, and 6-10 are independent. Claim 3 depends from claim 2. Claims 13 and 14 are allowed.

Claim Amendments

Independent claims 2, 4, and 6-10 have been amended to clarify that (i) the printer directs peripheral devices to capture data and (ii) that print data does *not* already exist when the printer requests the data and (iii) that print data is generated *after* the printer requests data. Support for the aforementioned amendments may be found, for example, in Figures 1, 4, 6, 8-10, and 12-14 (as well as the accompanying text) in the instant specification. No new matter has been added by the aforementioned amendments. Accordingly, entry and favorable consideration of these amendments is requested.

Allowable Subject Matter

Applicant thanks the Examiner for allowing claims 13 and 14.

Rejections under 35 U.S.C. § 102

Claims 2-4 and 6-10 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,184,996 ("Gase"). To the extent that this rejection may still apply to the amended claims, this rejection is respectfully traversed.

The amended claims 2, and 6-10 recite *inter alia*, “the printer...upon receiving the new print request, directs the peripheral device to capture the data, and wherein the peripheral device sends the data captured in response to the request from the printer, to the printer for printing.” Thus, the data is not captured prior to the printer request, but rather, the data is captured afterwards.

The claimed invention relates to a method for acquiring and printing data. In the claimed invention, a client computer requests page data from a printer, where the page data includes a print acceptance screen through which the client can submit a new print job. The new print job includes the peripheral device from which to capture data to print as well as the printer to print the captured data. That data to be printed is subsequently obtained from one or more peripheral devices. The printer, upon receiving the print acceptance screen with the particulars of the new print job from the client, “gives the directive to the scanner (*i.e.* peripheral device) to capture images and the scanner then sends the captured images to the printer,” as seen in one embodiment on page 8 of the instant specification, lines 2-4. Thus, the data does not exist before or at the time the print request is sent to the peripheral device.

Turning to the rejection, for anticipation under 35 U.S.C. § 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present. The Applicant respectfully asserts that Gase does not disclose all the limitations of the claimed invention.

Specifically, Gase fails to disclose or suggest that a printer directs a peripheral device to capture data to be printed by the printer. Rather, Gase discloses that the peripheral device (e.g., a scanner) initiates printing of a document by transmitting a URL of a scanned document to a printer (*See* Gase, col. 4, ll. 51-52). In fact, Gase discloses such transmission occurs after scanner has scanned and stored a document and the document is now to be printed (*See* Gase,

col. 4, II. 52-54). Gase further discloses that data to be printed is already stored in a scanner, and thus “pulled” by the printer from the scanner and eventually printed (*See* Gase, col. 4, II. 61-64). More specifically, Gase does not disclose or suggest a printer capable of directing a scanner to capture print data. Thus, it is clear that the print data already exists before and at the time the printer requests data.

Turning to the claims, the claims require the presence of at least three elements: (i) a request from, where the print request specifies data *already* stored on a peripheral device; (ii) a printer configured to receive the print request, analyze the print request, and send a request for the data that has *already* been acquired on the peripheral device listed in the print request; and (iii) a peripheral device configured to store the data and respond to the request for the data.

As discussed above, Gase discloses that (i) print data exists *before* the printer requests data and (ii) *after* receiving the data, the printer performs printing. However, there is no disclosure in Gase that teaches the direction of a peripheral device by a printer to capture data, where the data is then sent to the printer for printing. More specifically, Gase does not disclose that the data received by the printer from the peripheral device may only be captured as a result of printer request, and further, the captured data does *not* exist prior to printer request.

In view of the above, Gase clearly fails to disclose the direction of a peripheral device by a printer to capture data, where the data to be printed is captured *after* the print request. Thus, it is clear that Gase fails to anticipate independent claim 2 of the present invention. Thus, independent claim 2 is patentable over Gase. Dependent claim 3 is patentable for at least the same reasons as independent claim 2 from which it depends. Further, independent claims 4 and 6-10 recite similar patentable subject matter as independent claim 2 and, thus, are patentable over Gase for at least the same reasons as independent claim 2. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 04783/012001).

Dated: September 18, 2006

Respectfully submitted,

By 

Jonathan P. Osha
Registration No.: 33,986
OSHA · LIANG LLP
1221 McKinney St., Suite 2800
Houston, Texas 77010
(713) 228-8600
(713) 228-8778 (Fax)
Attorney for Applicant